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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,726	02/20/2004	Koji Hirose	0670-7043	3626

31780 7590 12/05/2006

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EXAMINER

LE, LANA N

ART UNIT PAPER NUMBER

2618

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/781,726

Applicant(s)

HIROSE, KOJI

Examiner

Lana N. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1 and 3 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marko et al (US 6,735,416) in view of the admitted prior art.

Regarding claim 1, Marko et al disclose a satellite digital radio broadcast receiver (fig. 6-A; fig. 6-B) having an IC (235') including a first reception series (227', 212', 235' for terrestrial processing path 231') for performing a reception processing of a satellite wave signal from a satellite and an IC (237') including a second reception series (229', 214', 237' for satellite processing path 233') for performing a reception processing of a ground wave signal from a repeater (18) (col 5, lines 15-17; col 4, lines 28-32) in order to receive both the satellite wave signal and the ground wave signal having the same broadcast contents and different modulation methods, the satellite digital radio broadcast receiver comprising:

automatic gain control means (128'; fig. 6A) for amplifying a signal from a single antenna (110') at a variable gain amplifier (122'), and in accordance with a level of a signal outputted from the variable gain amplifier (122'), for controlling a gain of the

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variable gain amplifier to control the level of the signal outputted from the variable gain amplifier (122') (col 5, lines 53-64); and

a two-way distributor (225') for distributing an output (output from @) of the automatic gain control means (128') to two distribution outputs (227', 212', 235' for terrestrial processing path 231', and 229', 214', 237' for satellite processing path 233'), wherein one of the two distribution outputs (231') from the two-way distributor (225') is supplied to said first integrated circuit (235') as an input signal to the first reception series (231'), and the other of the two distribution outputs from the two-way distributor is supplied to the second integrated circuit (237') as an input signal to the second reception series (233') (col 5, line 65 – col 6, line 41). Marko et al do not disclose the first and second reception series are in one IC. The admitted prior art disclose the first and second reception series are in one IC (1C) (fig. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first and second reception series in one IC in order to provide miniaturization of the receiver circuit to reduce space and for compactness;

wherein the two-way distributor (225') operate to distribute an input at a distribution ratio according to a gain of the first reception series and a gain of the second reception series (distribute the gain to amp 227' with of first reception series and amp 229' of second reception series).

Regarding claim 3, Marko et al and the admitted prior art disclose the satellite digital radio broadcast receiver according to claim 1, wherein Marko et al disclose the

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antenna (110') is either an antenna for receiving the satellite wave signal or an antenna for receiving the ground wave signal (col 4, lines 28-32).

### ***Response to Arguments***

3. Applicant's arguments filed 10/04/06 have been fully considered but they are not persuasive. Applicant states the cited art, Marko et al, do not disclose the distributor distribute an input according to a gain of a first reception series and a gain of the second reception series. The examiner respectfully disagrees. In fig. 6B of Marko et al, the distributor 225' distribute the input according to two variable gain amplifiers 227' and 229' of the first reception series and the second reception series, respectively which is similar to what is discussed in applicant's specification (para. 39). Therefore, the rejection filed 6/02/06 stands rejected as set forth in the previous office action.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

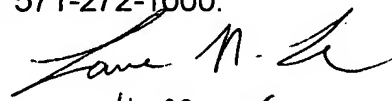
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891.

The examiner can normally be reached on M-F 9:30-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lana Le

  
11-29-06  
LANA LE  
PRIMARY EXAMINER